

House Bill 272 (AS PASSED HOUSE AND SENATE)

By: Representatives Hembree of the 67<sup>th</sup>, Sims of the 169<sup>th</sup>, Oliver of the 83<sup>rd</sup>, O'Neal of the 146<sup>th</sup>, and Byrd of the 20<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, so as to provide for a program of educational and living expense grants for certain children who qualify as foster children; to provide for eligibility; to provide for administration, practices, procedures, and requirements related to such grants; to provide for reports; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, is amended by adding at the end thereof a new Article 12 to read as follows:

"ARTICLE 12

20-3-660.

From funds appropriated by the General Assembly for such purpose, there is created a program of grants for the payment of postsecondary tuition, ancillary fees, and living expenses for Georgia foster children and adopted children. Such grants shall be subject to the following terms and conditions:

(1) Tuition, ancillary student fees, and the cost-of-living expenses for any undergraduate program of any Georgia public postsecondary institution, including all four-year and two-year colleges and universities and institutions of the Georgia Community and Technical College System, shall be paid for a Georgia foster or adopted child who is a full-time or part-time student if the student meets all entrance requirements and maintains academic eligibility while enrolled at the postsecondary institution and if:

(A) The student's family receives state funded adoption assistance under Code Section 49-5-8;

(B) The student is currently committed to the Department of Family and Children Services under Code Section 15-1-55 and placed in a family foster home or is placed in accordance with Code Section 15-11-2;

(C) The student is in an independent living program and the placement is funded by the Department of Family and Children Services; or

(D) The student who is an adopted child was in the permanent legal custody of and placed for adoption by the Department of Family and Children Services following the child's fourteenth birthday. A student who meets the eligibility criteria of this subparagraph and lives outside this state at the time of application to a Georgia postsecondary institution may apply for the grant as though he or she were still a resident of this state.

(2) The student shall:

(A) Obtain the application for the grant through the Department of Family and Children Services; and

(B) Complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. If the student's financial need for total cost of attendance, as defined in 20 U.S.C. Sec. 1087ll, exceeds the available funding from all sources, except loans and the work-study program under 42 U.S.C. Secs. 2751-2756b, the foster care tuition grant shall be used to cover the excess assessed need for cost of attendance at the postsecondary institution.

(3) The student shall be eligible and remain eligible for the grant so long as:

(A) The student applies for entrance to the institution within three years of receipt of his or her high school diploma or general educational development certificate;

(B) The student maintains satisfactory academic progress as defined by the institution attended; and

(C) The student has not reached the age of 26.

(4) The Department of Family and Children Services shall:

(A) Advertise the availability of the program and ensure that the children and young adults leaving foster care, foster parents, and family services counselors are informed of the availability of the program and the application procedures;

(B) Provide grant applications to all students leaving foster care; and

(C) Report the number of students participating in the tuition grant program on October 1 of each year to the Office of Planning and Budget and the Office of the Child Advocate.

(5) Cost-of-living expenses and necessary fees shall be determined for this program by the institution in which the student enrolls. Cost-of-living may include but is not limited

1 to room, board, books, fees, supplies, transportation fees, and a basic health care policy  
2 endorsed by the institution in which the student is enrolled.

3 (6) The Education Coordinating Council shall report nonidentifying data on graduation  
4 rates of students participating in the tuition grant program by November 30 each year to  
5 the Office of Planning and Budget and the Office of the Child Advocate.

6 (7) Nothing in this Code section shall be construed to:

7 (A) Guarantee acceptance of or entrance into any postsecondary institution for a foster  
8 or adopted child;

9 (B) Limit the participation of a foster or adopted student in any other program of  
10 financial assistance for postsecondary education;

11 (C) Require any postsecondary institution to waive costs or fees relating to tuition,  
12 fees, room, and board;

13 (D) Restrict any postsecondary institution or the Department of Family and Children  
14 Services from accessing other sources of financial assistance, except loans, that may be  
15 available to a foster or adopted student; or

16 (E) Prevent the student from maintaining the grant if transferring to another public  
17 postsecondary institution in this state, provided that the student meets all of the  
18 requirements of the transferring and receiving institutions."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.